

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
04/05/2012
5:30 PM

ATTENDANCE: Randy Mackie, William Krick, Ed Simmons, Willie German

ABSENT:

EXCUSED: Greg Borgman, Kirk Kolberg

STAFF: Carmen Smith, Henry Faltinowski, Jim Hoppus, Don LaBrenz, Chief
Jeffrey Lewis

GUESTS: David Medendorp(510 Ottawa), Joyce Hudson(1770 6th), Walter Clark
(230 Myrtle)

Meeting minutes: A motion was made by William Krick and seconded by Ed Simmons to approve the February 2012 minutes.

A roll call vote was taken:

AYES: NAYES: EXCUSED: ABSENT: ABSTENTION:

Greg Borgman

Randy Mackie
William Krick
Ed Simmons

Kirk Kolberg

Willie German

Motion carried.

DANGEROUS BUILDING NEW CASES

**EN-120015 – 230 MYRTLE AE. – CLARK, WALTER/PAMELA, 3835 ELLIS RD,
MUSKEGON, MI 49444**

Walter and Pamela Clark were present to represent property.

Mr. Clark stated he was approached by Habitat of Humanity who was interested in the property lot. Mr. Clark said he gave them a proposal that they could have the lot if they demolished the home but was told it was a slow process. Mr. Clark had not received any confirmation from

Habitat of Humanity. He stated if they don't demolish he's left with decision whether he could tear down himself which he admitted he didn't have funds now to do so and didn't know the implications if the City of Muskegon tore structure down for him. Randy Mackie explained that case would have to go before City Commission first which would allow time for negotiations with Habitat of Humanity but advised to keep Inspections Department abreast of any developments. Mr. Clark expressed concern about access to property because of ongoing fire investigation which Don LaBrenz assured him that would be taken care.

Motion was made by William Krick to declare the structure substandard, dangerous and a public nuisance and was seconded by Willie German.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Randy Mackie	Greg Borgman			
William Krick				
Ed Simmons				
	Kirk Kolberg			
Willie German				

Motion carried.

EN-120012- 510 OTTAWA(COMMERCIAL) – URBAN STREAM LLC, 4265 GRAND HAVEN RD., MUSKEGON, MI 49441

David Medendorp was present to represent property.

Mr. Medendorp stated they received notice and started cleaning up bricks that had fallen unto the sidewalk. He said the building is up for sale, they have no plans for building. He stated potential buyer could tear down part and use other for storage warehouse. He stated he was told if whole structure and basement was demolished it would cause the highway to collapse. He stated it was purchased from the County auction and thought only vacant lots were being purchased. Chief Lewis stated it was claimed that structure had been secured on all four sides, he wanted to know how it was going to be mitigated since structure has proven to be a eyesore. Mr. Medendorp said they had cleaned up but no plan to mitigate. Don LaBrenz stated not many comments regarding beautiful new building going up down the street are received but continuous comments about fire structure which is the first building to catch a person's eye driving the highway. Ed Simmons asked how structure could be purchased not knowing building was on lot. Mr. Medendorp stated they purchased several lots in November 2011 and miscalculated where lots were. Mr. Medendorp said he has heard of implications to the collapse of highway. Henry Faltinowski said there was process called "sheet piling" that could remedy situation and engineers could design system to support the bank. Ed Simmons

asked if process should proceed demoliton and Henry Faltinowski said it would have to be coordinated with MDOT. Chief Lewis said since building has been exposed to weather, water is contributing to deterioration of building and causing erosion. Mr. Germain asked about statement regarding tearing down part of building and using other part for warehouse. Mr. Medendorp said it would depend how it was classified. Mr. Krick said due to fire if would definitely need attention of engineer before any rehabilitation could be entertained. Mr. Medendorp said he would welcome any suggestions or ideas. Randy Mackie stated he hoped there was liability insurance in case any one entered was hurt. Henry Faltinowski said kids are hanging out in area towards back section and osb was being kicked in providing access inside.

Motion made by William Krick to declare the structure substandard, dangerous and a public nuisance and was seconded by Ed Simmons.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Randy Mackie		Greg Borgman		
William Krick				
Ed Simmons				
		Kirk Kolberg		
Willie German				

Motion carried.

EN-110050-1770 6TH (COMMERCIAL) – JOYCE HUDSON, 1672 HARVEY ST, MUSKEGON, MI 49442

Ms Joyce Hudson and Wally Cassy were present to represent property.

Mr. Cassy, son of owner stated a permit was pulled to demolish but he crushed a disc in his back that laid him up for some time so he asked for extension. He stated then about \$60,000 of equipment was stolen from him. He said he owns his own business and now has recouped enough funds to proceed with demolition. Ed Simmons explained condemnation process. Chief Lewis said building had fallen victim to graffiti that needs to be addressed right away. Mr. Cassy stated once building is removed that should open area which hopefully would deter further defacing.

Motion made by Ed Simmons to declare the structure substandard, dangerous and a public nuisance and was seconded by William Krick.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Randy Mackie		Greg Borgman		

William Krick
Ed Simmons

Kirk Kolberg

Willie German

Motion carried.

EN-120007 – 450 W. SOUTHERN – SELMA BRYANT – 1614 DYSON, MUSKEGON, MI 49442

No one was present to represent property.

Motion made by William Krick to declare the structure substandard, dangerous and a public nuisance and was seconded by Ed Simmons.

A roll call vote was taken:

AYES:

Randy Mackie
William Krick
Ed Simmons

NAYES:

Willie German

EXCUSED:

Greg Borgman

ABSENT:

ABSTENTION:

Kirk Kolberg

Motion carried.

OLD BUSINESS:

Ed Simmons asked about status of building at Wood & Marquette. Staff reported that case had been concurred by the City Commission.

NEW BUSINESS:

ADJOURNMENT: 5:55 PM

CITY OF MUSKEGON

**AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF
THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.**

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the

meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Cummings, City Clerk
933 Terrace Street
Muskegon, MI 49443
(231) 724-6705 or TDD (231) 724-6773